

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

Plaintiff,

v.

PIYUSH G. PATEL, DAVID J. KIRKPATRICK,
ERIC JAEGER, LAWRENCE COLLINS,
MICHAEL A. SKUBISZ, JERRY A.
SHANAHAN,

Defendants.

Case No. 01:07-00039-SM

DEFENDANT ERIC JAEGER'S PRELIMINARY WITNESS LIST

NOW COMES Defendant Eric Jaeger, by his undersigned counsel, and respectfully submits the following list of potential witnesses with respect to the above-captioned matter.

1. James Boyer, Boston, MA
2. Dick Bussiere, Andover, MA
3. Tom Eggemeier, Unknown
4. Donna Ferrera, Plaistow, NH
5. Ron Gula, Columbia, MD
6. Eric Jaeger, Madbury, NH
7. John Merrill Keefer, San Ramon, CA
8. John Kern, Los Altos Hills, CA
9. David Kirkpatrick, c/o Lucy Karl, Esq., Concord NH
10. Lisa Lentz, Rochester, NH
11. Mike Leutkemeyer, Jupiter, FL
12. Tom Louriero, Lee, NH

13. Matt Murphy, San Marcos, TX
14. Piyush Patel, c/o Diana Lloyd Esq., Boston, MA
15. Doug Patteson, Strafford, NH
16. Michael Skubisz, Wakefield, NH
17. Per Suneby, Wellesley, MA
18. David Wilson, Boston, MA

In addition to these potential witnesses, Mr. Jaeger reserves the right to supplement this list in response to any other party's pretrial statements/disclosures, or to rebut evidence adduced, and arguments made, during Plaintiff's case-in-chief.

January 20, 2012

Respectfully submitted,

ERIC JAEGER,
By his attorneys,

/s/ Jonathan A. Shapiro

Jonathan A. Shapiro
Elizabeth Skey (admitted *pro hac vice*)
WILMER CUTLER PICKERING HALE
AND DORR LLP
950 Page Mill Road
Palo Alto, California 94304
(650) 858-6000

Jeffrey B. Rudman (admitted *pro hac vice*)
James W. Prendergast (admitted *pro hac vice*)
Peter A. Spaeth (admitted *pro hac vice*)
James T. Lux (admitted *pro hac vice*)
WILMER CUTLER PICKERING HALE
AND DORR LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

CERTIFICATE OF SERVICE

I, Elizabeth H. Skey, hereby certify that Defendant Eric Jaeger's Witness List, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on January 20, 2012.

/s/ Elizabeth H. Skey

Elizabeth H. Skey

Dated: January 20, 2012